

REGULAR MEETING of the Burrillville Town Council held Wednesday, March 9, 2011 at 7:00 P.M. in the Town Council Chambers, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.

PRESENT: Council President Nancy F. Binns, Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson

MEMBERS ABSENT: Councilors Wallace F. Lees and Edward J. Blanchard were excused.

1. Boy Scouts from Troop 102 Mapleville led those present in pledging allegiance to the flag.

2. VOTED to accept the minutes of the regular meeting held February 9 and 23, 2011, the special meetings held January 31, 2011 and February 2, 2011; and dispense with the reading of said minutes.

Motion by Councilor David J. Place. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

3. Public Comment None

4. General Good and Welfare of the Town of Burrillville

Councilor Margaret L. Dudley announced Kindergarten registration scheduled at the A. T. Levy School.

Councilor Margaret L. Dudley announced the Callahan School Spring Breakfast scheduled for March 12, 2011.

Councilor Margaret L. Dudley announced the Rabies Clinic, scheduled for April 10, 2011 at the Town Garage, Union Avenue. Dog licenses will be available at the clinic.

Councilor Margaret L. Dudley announced the 2011 Young Artist Series scheduled for the Jesse M. Smith Memorial Library. The exhibit will be April 29 and 30, 2011.

Councilor Kevin D. Heitke announced Lifeline Screening scheduled for the Beckwith-Bruckshaw Memorial Lodge on April 4, 2011.

Councilor David J. Place noted that Erin Todisco Place was building a team for the Susan G. Komen 3-Day for the Cure™ walk in Boston and invited residents to join the team.

Council President Nancy F. Binns recognized Cheri R. Hall, Director of Parks & Recreation, for her induction to the Rhode Island Recreation and Parks Association Hall of Fame.

Council President Nancy F. Binns acknowledged the clerk for compiling the Town Council 2011/2012 Goals & Objectives and Public Policy and Legislative Agenda.

5. Petitions: None

6. Special Business:

11-061 VOTED to grant the renewal of Rubbish Licenses to Rambone Disposal Service, Inc., 2153 R. Plainfield Pike, Johnston, RI in accordance with and subject to the provisions of Chapter 8, Article 5 of the Ordinances of the Town of Burrillville entitled Transporting Garbage or Rubbish.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

7. Public Hearings: None

8. Unfinished Business: None

9. New Business:

11-062 VOTED to open the correspondence from James A. Langlois, Chairman, Burrillville Redevelopment Agency, regarding the Agency's request for Tax Exemption.

Motion by Councilor Kevin D. Heitke. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

Discussion: James A. Langlois, Chairman, Burrillville Redevelopment Agency, noted that the exemption would apply to the incubator space at the Clocktower Building, noting that one town agency does not typically tax another. Mr. Langlois discussed the long-term benefit to the community. There was discussion of whether property taxes should be passed on to the lessee.

VOTED to grant tax exemption for 2,739 square feet of space at 180 Tinkham Lane, for as long as the property is leased by the Redevelopment Agency.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The vote motion carried, four in favor, one opposed,

two excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke and Stephen N. Rawson. Councilor David J. Place voted in opposition. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

11-063 VOTED to open the correspondence from Councilor David J. Place regarding his request for Town Council discussion and possible action on correspondence received from Harvey Waxman regarding property taxes in Burrillville.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

Discussion: Councilor David J. Place referred to the correspondence from Harvey Waxman and the comments provided by the administration, suggesting that the questions be referred to Dr. Waxman. Michael C. Wood, Town Manager, commented on the importance of equity in assessment.

VOTED to authorize the clerk to forward the questions and concerns addressed from the administration to Dr. Waxman and to receive his

response.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The motion carried, four in favor, one opposed, two excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, David J. Place and Stephen N. Rawson. Councilor Kevin D. Heitke voted in opposition. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

11-064 VOTED to open the correspondence from Councilor David J. Place regarding his request for Town Council discussion and possible action on the composition of and applications for boards and commissions as they relate to the Town Charter.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

Discussion: Councilor David J. Place voiced concern that the current composition of various council-appointed boards and commissions might not be in compliance with §19.05 of the Charter and his concern that each committee membership have balance. The matter was discussed.

VOTED to have the administration amend the application for boards and commission by adding the question: “Based on the current voter registration card on file with the town, what political affiliation do you have?”.

Motion by Councilor David J. Place. Seconded by Councilor Margaret L. Dudley. The motion carried, four in favor, one opposed, two excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, David J. Place and Stephen N. Rawson. Councilor Kevin D. Heitke voted in opposition. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

11-065 VOTED to refer to the Screening Subcommittee the application from Valerie Ann Leduc for reappointment to the Personnel Board.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

11-066 VOTED to receive with regret the resignation of Richelle Wheeler from the Burrillville Extended Care Board of Directors, to send a letter of thanks to Richelle, and to refer the vacancy to the

Screening Subcommittee.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor David J. Place. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

11-067 VOTED to refer to the Screening Subcommittee the application from Jennifer Briere for appointment to the Burrillville Extended Care Board of Directors.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

11-068 VOTED to open the correspondence from Louise R. Phaneuf, Town Clerk, regarding her request for additional rating information on the goals and objectives.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present.

Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

Discussion: The Town Council reviewed the list of items for which one or more members had requested further discussion. The ratings were completed. The clerk was to present a final draft for possible adoption at a future meeting.

Pending Legislation:

11-025 VOTED to open discussion of 2011 – S 0063 and 2011 – H 5187 Acts relating to the Town of Burrillville – validating and ratifying amendments to home rule charter.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

Discussion: Councilors David J. Place and Kevin D. Heitke reported on their testimony before the Senate and House Committees that were hearing bills 2011 – S 0063 and 2011 – H 5187. It was noted that

the National Education Association of Rhode Island (NEARI) had testified in opposition to ratification of question nine, i.e. : Shall language in Section 3.14 (O) entitled “Powers and Duties” be changed to give the Town Council the authority to ratify collective bargaining agreements under School Committee jurisdiction and provide that no collective bargaining agreement shall be valid until it is ratified by the Town Council?

Timothy F. Kane, Town Solicitor, explained that Charter changes adopted by the voters become law without ratification by the General Assembly if the subject matter of the question is within the purview of local law. Mr. Kane said that only those items which may be inconsistent with state law require ratification.

The impact of question nine and the source of the objection by NEARI were discussed.

VOTED to respectfully summon the School Committee to our next meeting to discuss this.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor David J. Place. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

11-069 2011 – H5433 An Act Relating to Education – Foundation Level School Support, introduced by Representatives Keable and Newberry at the request of the Burrillville Town Council.

VOTED to support this bill and send a resolution to all cities and towns asking that they also support this bill.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

11-070 2011 – H5455 An Act Relating to Education – Certification of Personnel introduced by Representatives Keable and Newberry at the request of the Burrillville Town Council.

VOTED to support this bill and send to other cities and towns requesting their support.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor David J. Place. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place

and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

11-071 2011 – H 5461 An Act Relating to Towns and Cities – General Powers introduced by Representatives Keable and Newberry at the request of the Burrillville Town Council.

VOTED to support and to send to other cities and towns, requesting their support.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

10. Town Clerk/Communication:

11-072 VOTED to receive and file the correspondence from Stephen C. Waluk, Mayor, City of Newport, regarding the 55th Annual St. Patrick's Day Parade.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy

F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

11-073 VOTED to receive and file with thanks the correspondence from Jodi Lacroix, Town Clerk, Town of Charlestown, RI, regarding the Charlestown Town Council's support of the Burrillville Town Council resolution related to Extended Producer Responsibility.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

11-074 Correspondence from Mary Ellen Murano, Executive Assistant, South Kingstown School Department, regarding the South Kingstown School Committee's request for support of their resolution opposing mandatory binding arbitration on monetary matters for teachers.

VOTED that we support the resolution and let our legislators know that we support this resolution.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The vote was unanimous by the five members

present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

11-075 VOTED to receive and file the correspondence from Dale S. Holberton, CMC, Town Clerk of the Town of South Kingstown, RI, regarding the South Kingstown Town Council's action to receive and file correspondence from the Burrillville Town Council concerning a variety of General Assembly legislation.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

11. Additional New Business: None

12. VOTED to adjourn at 8:58 P.M.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J.

Place and Stephen N. Rawson. Councilors Wallace F. Lees and Edward J. Blanchard were excused.

The meeting was recorded.

Louise R. Phaneuf, Town Clerk